

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARNELL SIMMS,

No. C 04-05306 WHA

Plaintiff,

v.

COUNTY OF ALAMEDA, a municipal
corporation, PRISON HEALTH
SERVICES, INC., a corporation, HAROLD
W. ORR, M.D., JAMES PENDLETON, JR.,
M.D., MARTHA CAMPOS, M.D., M.
INCENCIO, KAREN CREWS, B.J.
COHEN, and DOES 1–100, inclusive,

Defendants.

**ORDER APPROVING
STIPULATED PROTECTIVE
ORDER REGARDING
DOCUMENTS, THINGS, AND
INFORMATION TO BE
PRODUCED BY PARTIES FOR
INSPECTION, COPYING AND
USE IN THIS LITIGATION**

The stipulated protective order submitted by the parties is hereby **APPROVED**, subject to the following conditions:

1. The parties must make a good-faith determination that any information designated “confidential” warrants protection under Rule 26(c) of the Federal Rules of Civil Procedure. Designations of material as “confidential” must be narrowly tailored to include only material for which there is good cause. A pattern of over-designation may lead to an order de-designating all or most materials on a wholesale basis.

2. In order to be treated as confidential, any materials filed with the Court must be lodged with a request for filing under seal in compliance with Civil

1 Local Rule 79-5. Please limit your requests for sealing to only those
2 narrowly-tailored portions of materials for which good cause to seal exists.
3 Please include all other portions of your materials in the public file and
4 clearly indicate therein where material has been redacted and sealed. Each filing
5 requires an individualized sealing order; blanket prospective authorizations are no
6 longer allowed by Civil Local Rule 79-5.

7 3. Chambers copies should include all material — both redacted and
8 unredacted — so that the chambers staff does not have to re-assemble the whole
9 brief or declaration. Although chambers copies should clearly designate which
10 portions are confidential, chambers copies with confidential materials will be
11 handled like all other chambers copies of materials without special restriction, and
12 will typically be recycled, not shredded.


13 4. Any confidential materials used openly in court hearings or trial
14 will not be treated in any special manner absent a further order.

15 5. This order does not preclude any party from moving to
16 de-designate information or documents that have been designated as confidential.
17 The party seeking to designate material as confidential has the burden of
18 establishing that the material is entitled to protection.

19 6. The Court will retain jurisdiction over disputes arising from the
20 proposed and stipulated protective order for only 45 days after final termination
21 of the action.

22
23 **IT IS SO ORDERED.**

24
25 Dated: July 18, 2005.

26 
27 WILLIAM ALSUP
28 UNITED STATES DISTRICT JUDGE